

## Board of Directors Interim Report

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### INTRODUCTION

The Board of Directors held its quarterly meeting on Saturday, January 21, 2006, and continued meeting during work periods throughout the remainder of the Interim Meetings. The Board of Directors and NTEP Committee invited members to dialogue with the Board on the following issues: conformity assessment, NCWM voting procedures, the use of work groups, the National Training Program, and participation internationally, i.e., International Organization on Legal Metrology (OIML), the OIML Mutual Acceptance Arrangement (MAA), the Canadian Forum on Trade Measurement (CFTM), the Asia-Pacific Legal Metrology Forum (APLMF), and U.S. National Work Groups.

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**Table A**  
**Table of Contents**

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Subject	Page
<b>INTRODUCTION .....</b>	<b>1</b>
1. Improving Standards Development .....	2
2. Marketplace Surveys .....	3
3. Meetings .....	3
4. Membership Marketing .....	3
5. NCWM Website – www.ncwm.net .....	4
6. Electronic Copies of NCWM Publication 14 .....	4
7. Mutual Acceptance Arrangements .....	4
8. Participation in International Standard Setting .....	5
9. NCWM Registration Fees Refund Policy.....	5

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**Table B**  
**Appendices**

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Appendix	Title	Page
A	Report on the Activities of the International Organization of Legal Metrology (OIML) and Regional Legal Metrology Organizations.....	A1
B	Associate Membership Committee (AMC) Interim Report .....	B1

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**Details of all Items**  
(In order by Reference Key Number)

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## **1. Improving Standards Development**

Technical issues forwarded to the NCWM standing committees appear in various stages of development and degrees of technical complexity. Following are some concerns that have been raised regarding the NCWM's ability to properly develop such issues:

- The NCWM may need to draw in additional technical expertise on occasion.
- More outreach may be necessary to inform stakeholders.
- Development of issues needs to occur throughout the year, not just at Annual and Interim meetings.
- New proposals need proper development and supporting documentation prior to reaching standing committees.

The NCWM and NIST have developed a plan to address these concerns to improve the NCWM standards development process. A review panel has been formed to study all new items forwarded to the NCWM standing committees. The panel will assess the needs of each new item to determine proper development and consensus within the NCWM. For each new proposal, the panel will provide the standing committee with a recommendation for the proper course of action. Recommendations may include utilizing a workgroup of experts, returning the item to the source for further development, or developing the item through the routine open hearings of the NCWM and regional associations, etc.

Don Onwiler and Henry Oppermann presented this plan at the 2005 NCWM Annual Meeting and at the 2005 Annual Meetings of each of the regional associations. The NCWM gave the plan a trial run in the fall of 2005. All new proposals forwarded to the NCWM standing committees for consideration at the 2006 Interim Meeting will be assessed by the review panel and recommendations will be provided to the standing committees. The recommendations will be posted on the NCWM website and made available to Interim Meeting attendees. They will be included in NCWM Publication 16 and become part of the NCWM Annual Report following the Annual Meeting.

The Board is also considering other ways to improve the standards development process within the NCWM and its regional network. Feedback from the membership was provided during the Board's open hearings during the 2006 Interim Meeting. Several suggestions were heard including:

- Standardize Form 15 so that the NCWM as well as all regional associations use the same form.
- Post the form and instructions for submitting a proposal, including deadlines for the various regions, on the NCWM and regional association websites. The same material should be published in Pubs 15 and 16. Judy Cardin will work with staff and the regional associations to develop this document which will be posted on the website under 'Our Process.'

Feedback from the standing committees on how the process worked will be solicited following their work at the Interim Meeting. The Board will then consider revisions to the review panel process at their spring meeting. The Board's goal is to make the standards development process more easily accessible, efficient and productive, not to create deterrents in the process.

The Board will address the best method of disseminating the roles and responsibilities of committee members as well as how to help the committee members understand them.

## 2. Marketplace Surveys

The NCWM is planning to conduct a market survey in the coming year. Market surveys are a method to benchmark levels of compliance and will provide a tool to evaluate the effect of weights and measures presence in a given area of regulation. Surveys can be done on a specific device type, net quantity verification of various commodities, scanner accuracies, tare on sales from bulk, and so forth. It is the Board's hope that jurisdictions may be able to use this data to demonstrate the need for sufficient funding for a comprehensive weights and measures program.

The NCWM will follow NCWM Protocol for National Surveys. The Board has a team in place to make the decisions regarding the direction of the first survey. NIST WMD has also pledged involvement to the degree that it will coordinate and present training as needed to officials who participate in the survey. This will ensure uniform methods of testing, documenting, and reporting results.

Chairman Don Onwiler began this part of the Board's agenda by sharing the procedure to be used when conducting the survey. The goals of the survey are to:

1. Benchmark the variances in compliance between jurisdictions where inspections are conducted versus those where inspections do not take place;
2. Promote funding for this discipline of inspection in jurisdictions by demonstrating the effect of a regulatory presence in the marketplace; and
3. Generate public awareness of weights and measures activities.

This first marketplace survey will be in the discipline of package inspections. The survey will not target a particular retailer or brand of product, but will be specific to a certain product type. While data may be released, it will be handled in a method so as to not provide embarrassment to any company or weights and measures program.

Roger Macey, California, is acting as project manager. NIST will provide training and will develop the spreadsheet for NCWM staff to enter survey test results. The survey results will reside at NCWM Headquarters. There is no plan to hold press conferences to announce the results. The team will choose the participating states. States were encouraged to volunteer if they would like to be considered for participation. Industry expressed concern about the protocol that was going to be used. Most of these concerns were addressed satisfactorily during the open hearings at the 2006 Interim Meeting.

## 3. Meetings

### *Interim Meetings*

January 21 - 24, 2007

Omni Jacksonville, Jacksonville, FL

January 27 - 30, 2008

Hyatt Regency Albuquerque, Albuquerque, NM

### *Annual Meetings*

July 9 - 13, 2006

Chicago Marriott, Chicago, IL

July 8 - 12, 2007

Snowbird Resort, Salt Lake City, UT

July 13 - 17, 2008

Sheraton Burlington Hotel & Conference Center, Burlington, VT

Staff were directed to continue to look for a warm location for the 2009 Interim Meeting. The 2009 annual meeting will be held in the Southern region. Members are encouraged to submit suggestions for meeting locations to the NCWM staff.

## 4. Membership Marketing

The Board recognizes the need to address membership and meeting attendance. The management company, Management Solutions Plus (MSP), has hired Judy Markoe to assist the various associations it serves in gaining public recognition and membership. Judy met with the Board of Directors at its 2005 Fall Meeting. Based on information shared in that meeting, Judy created a focused marketing concept tailored to the needs of NCWM. This was presented to

the Board at the 2006 Interim Meeting. The purpose of creating a marketing plan is to increase public awareness of the NCWM and weights and measures activities. The Board is hopeful that the regional associations will also realize some of the benefits reaped by the marketing plan.

A task force consisting of Judy Cardin, Stephen Pahl, Chris Guay and Darrell Flocken has been formed to work with Judy Markoe on this initiative. Their recommendations will be presented to the NCWM Board of Directors.

In addition, Don Onwiler is working with Judy Markoe on materials for Weights & Measures Week. State Directors will receive information including the Weights and Measures Week date and theme, a PSA advertisement, and a press release that may be customized to a particular jurisdiction.

## **5. NCWM Website – [www.ncwm.net](http://www.ncwm.net)**

Many positive comments have been received regarding recent improvements to the NCWM website. The site continues to evolve to better serve the members and gain the interest of first-time viewers. As always, the Board is accepting suggestions to further improve the website.

One suggestion has been to include mailing addresses in the membership directory. This directory is available through the “Members Only” portion of the website. Currently, this section provides members’ names, company affiliations, cities, states, phones, faxes, and email addresses. Mailing addresses have not been provided to protect members from unwanted solicitation. Following feedback from members at the open hearings of the 2006 Interim Meeting, the Board has decided to include members’ street addresses in the online directory. However, a member may choose to opt out of including his street address.

## **6. Electronic Copies of NCWM Publication 14**

At the request of industry membership, the NCWM developed an electronic version of Publication 14 and has made the document available on CD. The CD contains Publication 14 Administrative Policy and all NTEP technical policies, checklists and test procedures. An order form is available on the NCWM website at <http://www.ncwm.net>.

The Board received some comments at the 2006 Interim Meeting regarding the use and pricing of the electronic version of Publication 14. These recommendations will be addressed after more information is available regarding its use during 2006.

## **7. Mutual Acceptance Arrangements**

The purpose of Mutual Acceptance Arrangements (MAA) is to establish bilateral and multilateral agreements. Under such agreements and arrangements, manufacturers would be able to submit their equipment to any of the participating countries for testing to OIML-recommended requirements. The resulting test data would be accepted by other participants as a basis for issuing each country’s own type approval certificate.

NTEP Director Stephen Patoray attended an MAA Seminar for Assessors September 5 - 6, 2005. During this seminar, Mr. Patoray provided the attendees an overview of the additional requirements in the United States for both OIML R 76 and R 60. At the 2006 Interim meeting, Mr. Patoray updated the attendees on the current status of the MAA and other developments. The next scheduled meeting of the Committee on Participation Review (CPR) for R 76 and R 60 is now scheduled for March 7, 8, and 10 in Sydney, Australia.

The NTEP Committee discussed the MAA during the fall 2006 NTEP Committee meeting. Based on previous input from the NCWM membership and other discussion on this topic, the NTEP Committee believes the United States should be a Country A (issuing participant) with full laboratory capabilities for OIML R 76 "non-automatic weighing instruments" and should not participate in a Declaration of Mutual Confidence (DoMC) as a Country B (utilizing participant) for R 76. However, the NTEP Committee recognizes that at the present time there are no identified resources available to be able to move forward with a laboratory for R 76.

The NTEP Committee discussed the NIST Force Group's position to not participate as a testing laboratory for OIML R 60 load cells. The Committee also recognizes that relatively few load cell evaluations are requested on an annual basis, and therefore it would not be reasonable to invest in such laboratory facilities as the costs of doing so are not justified by the demand for services.

Based on these discussions, the NTEP Committee recommended the NCWM Board of Directors sign the DoMC as a Country B for R 60 load cells only.

This Board decision allows NTEP to accept test data for load cells tested by foreign laboratories recognized by the DoMC. The United States would not have the ability to test to OIML requirements for international recognition.

At the 2006 Interim Meeting, the Board voted to accept the recommendation of the NTEP Committee to sign the DoMC as a Country B for R 60 load cells. The Board maintains its commitment to only sign a DoMC for R 76 non-automatic weighing instruments if it can do so as a Country A with a viable laboratory.

## **8. Participation in International Standard Setting**

As the international community continues to draw closer together in legal metrology issues, the NCWM is receiving requests for participation at various meetings and conferences. The NTEP Director is participating in international meetings of the Committee on Participation Review (CPR) for the Mutual Acceptance Arrangements for R 60 and R 76. The NCWM has also received an invitation to attend the Milestones Metrology Congress in May 2006 in The Netherlands to speak on the philosophy of the United States in the MAA process, explain the NCWM system, and provide a broad understanding of our legal metrology system.

The Board discussed identifying appropriate individuals to represent the NCWM in the international arena based on the nature of the event and the type of input requested. Our participation is primarily requested for one of two reasons:

1. To provide technical input on standards alignment or mutual recognition of testing data, or
2. To provide insight into the legal metrology system of the United States.

It is the decision of the NCWM Board of Directors that the NTEP Director will continue to represent NCWM interests in the international arena as it pertains to technical discussions. It will be the role of the NCWM Chair or the Chair's designated appointee to represent the NCWM in the international arena when the purpose is to represent NCWM's role in the U.S. legal metrology system.

## **9. NCWM Registration Fees Refund Policy**

The Board has adopted the following policy:

This policy applies to all NCWM scheduled conferences as well as non-conference meetings sanctioned by the NCWM. Activities such as, but not limited to, meetings associated with the functions of the National Type Evaluation Committee.

Cancellations received prior to any early registration deadline date are subject to a 15 % cancellation fee. No refunds will be given after that date except as follows:

1. In the case of a state declared natural emergency that results in the member's inability to attend the conference. This circumstance will provide for a full refund of the member's registration fees.
2. In the case of personal medical emergency associated with the NCWM member, and in the case of fatal or life threatening illness or injury of an immediate family member. Full or partial refunds may be considered based on documentation of the specific medical emergency and BOD review and approval.

In any other instance of requests for refunds of conference registration fees, it shall be the policy of the Board of Directors to deny such requests. However, the Board recognizes the need to be flexible based on yet to be determined circumstances out of the control of individual members.

Don Onwiler, Nebraska, NCWM Chair  
Michael Cleary, California, NCWM Chairman-Elect  
Jim Truex, Ohio, NTEP Committee Chair  
Judy Cardin, Wisconsin  
Charles Carroll, Massachusetts  
Tom Geiler, Town of Barnstable, Massachusetts  
Joe Gomez, New Mexico  
Stephen Pahl, Texas  
Russell Wyckoff, Oregon  
Christopher B. Guay, Procter & Gamble Co.  
Darrell Flocken, Mettler-Toledo, Inc.  
NCWM Staff: Beth Palys, CAE  
NIST: Georgia Harris, Henry Oppermann

### **NCWM Board of Directors**

## Appendix A

### Report on the Activities of the International Organization of Legal Metrology (OIML) And Regional Legal Metrology Organizations

Weights and Measures Division, NIST

The Weights and Measures Division (WMD) of the National Institute of Standards and Technology (NIST) is responsible for coordinating U.S. participation in OIML and other international legal metrology organizations. Learn more about OIML at the OIML website at <http://www.oiml.org> and the WMD website at <http://www.nist.gov/owm> on the Internet. Dr. Charles Ehrlich, Group Leader of the International Legal Metrology Group (ILMG), can be contacted at [charles.ehrlich@nist.gov](mailto:charles.ehrlich@nist.gov) or at (301) 975-4834 or by fax at (301) 926-0647.

*Please note: OIML publications are available without cost at <http://www.oiml.org>*

**Table A**  
**Table of Contents**

Subject	Page
I. Report on the Activities of the OIML Technical Committees.....	A2
II. Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations .....	A4
III. Future CIML Meetings.....	A5

**Table B**  
**Glossary of Acronyms\***

BIML	Bureau of International Legal Metrology	IR	International Recommendation
CD	Committee Draft <sup>1</sup>	MAA	Mutual Acceptance Arrangement
CIML	International Committee of Legal Metrology	OIML	International Organization of Legal Metrology
CPR	Committee on Participation Review	R	Recommendation
DD	Draft Document <sup>2</sup>	SC	Subcommittee
DR	Draft Recommendation <sup>2</sup>	TC	Technical Committee
DV	Draft Vocabulary <sup>2</sup>	WD	Working Document <sup>3</sup>
DoMC	Declarations of Mutual Confidence		

<sup>1</sup>CD: a draft at the stage of development within a technical committee or subcommittee; in this document, successive drafts are numbered 1 CD, 2 CD, etc.

<sup>2</sup>DD, DR, DV: draft documents approved at the level of the technical committee or subcommittee concerned and sent to BIML for approval by CIML.

<sup>3</sup>WD: precedes the development of a CD; in this document, successive drafts are number 1 WD, 2 WD, etc.

\*Explanation of acronyms provided by OIML.

## **I. Report on the Activities of the OIML Technical Committees**

This section reports on recent activities and the status of work in OIML Technical Committees (TCs) and Technical Subcommittees (SCs) of specific interest to members of the NCWM. Also included are schedules of future activities of the Secretariats, the U.S. National Work Groups (USNWGs), and the International Work Groups (IWGs) of the Committees and Subcommittees.

### *TC 3/SC 1 “Pattern Approval and Evaluation” (United States)*

The subcommittee approved the U.S. proposal for a combined revision of OIML D 19 “Pattern evaluation and pattern approval” and D 20 “Initial and subsequent verification of measuring instruments and processes” into a single document entitled “Principles of metrological control of measuring instruments: type approval and verification.” Key elements of OIML D 3 “Legal Qualification of Measuring Instruments,” R 34 “Accuracy Classes of Measuring Instruments,” and R 42 “Metal Stamps for Verification Officers” will also be incorporated into the combined revision of OIML D 19 and D 20. The revised documents will incorporate recent developments such as the OIML certificate system, D 27 “Initial verification of measuring instruments utilizing the manufacturer's quality management system,” and the “Framework for a mutual acceptance arrangement (MAA) on OIML type evaluations.” Consideration will be given to the appropriate conformity assessment options developed by the ISO Council Committee on Conformity Assessment (ISO CASCO), including quality systems, product certification, and accreditation. Consideration needs to be given as well to information technology and statistical methods to increase or decrease verification intervals based upon proven instrument performance. For more information on this activity, contact Dr. Ambler Thompson at (301) 975-2333 or at [ambler@nist.gov](mailto:ambler@nist.gov).

### *TC 5/SC 2 Software (Germany and France)*

In 2004 all OIML TCs and SCs that were revising an OIML Recommendation were contacted to ensure that software aspects are considered in revised Recommendations. All OIML Documents and Recommendations published since 1990 were reviewed for terms and requirements related to software. A pre-draft of the document “Software in Legal Metrology” was circulated in October 2004 by the Secretariat. When complete, this document will serve as guidance for OIML technical committees addressing software requirements in Recommendations for software-controlled instruments. The ILMG submitted U.S. comments on an early draft in February 2005. The first working draft of this document was received in February 2006, and comments are requested to ILMG by May 15, 2006. This document can be viewed on the WMD website at <http://ts.nist.gov/ts/htdocs/230/235/TC5-SC2.htm>. Please contact Wayne Stiefel at (301) 975-4011 or at [stiefel@nist.gov](mailto:stiefel@nist.gov) if you would like to participate in this project.

### *TC 8/SC 1 “Static Volume and Mass Measurement” (Austria and Germany)*

The Secretariat submitted 1 CD revisions in January 2005 for OIML R 71 “Fixed Storage Tanks,” R 80 “Road and Rail Tankers,” and R 85 “Automatic Level Gages for Measuring the Level of Liquid in Fixed Storage Tanks.” U.S. comments, including those of the American Petroleum Institute, on all three of these documents were sent in April 2005. The Secretariat held a subcommittee meeting in April 2005 in Vienna, Austria. The United States will provide a vote and comments on the 2 CD of all of these documents by April 2006, and meetings of the subcommittee are scheduled for March 2006 and May 2006. Please contact Wayne Stiefel at (301) 975-4011 or at [stiefel@nist.gov](mailto:stiefel@nist.gov) if you would like copies of the documents or to participate in these projects.

### *TC 8/SC 3 “Measuring Instruments for Liquids other than Water.” (Germany) and TC 8/SC 4 “Dynamic Mass Measurements (Liquids other than Water)” (United States)*

OIML R 117 “Measuring Instruments for Liquids other than Water” is undergoing an extensive revision, incorporating new instrument technologies and merging the document with OIML Recommendations R 86 “Drum Meters” and R 105 “Mass Flowmeters.” This is a high priority project for OIML. ILMG is working with the USNWG on flowmeters, Germany, and the Netherlands on this effort. Meetings of the USNWG on flowmeters were held during the NCWM Annual Meeting in July 2005 in Orlando, Florida, and the NCWM Interim Meeting in January 2006 in Jacksonville, Florida. Measurement Canada has been a strong contributor to this effort. A 2 CD of R 117 was circulated to the two international subcommittees and received over 90 % international “yes” votes. The Draft Recommendation (DR) has been circulated to OIML member nations with an objective of receiving full CIML approval on R 117 in October 2006. If you have questions or would like to become involved in this effort, please contact Ralph Richter (301) 975-3997 or at [ralph.richter@nist.gov](mailto:ralph.richter@nist.gov).



*TC 8/SC 7 “Gas Metering” (Belgium and France)*

The Secretariat circulated a 3 CD of the Recommendation “Measuring Systems for Compressed Natural Gas (CNG) for Vehicles” and annexes covering performance tests for electronic devices and basic test procedures. In April 2003, the United States cast a negative ballot on the 3 CD because the testing requirements were considered to be unrealistic. A 4 CD is being prepared by the Secretariat.

A ballot was circulated on the 4 CD “Measuring Systems for Gaseous Fuel” and U.S. comments were returned in November 2005. This Recommendation is intended for large pipelines with large flowrates and high operating pressures, or systems not fitted with diaphragm gas meters. Different types of measuring systems are covered by the Recommendation: measuring systems providing indications of volume at base conditions or mass converted from a volume of gas determined at metering conditions, measuring systems providing directly the mass of gas, and measuring systems providing indication of energy corresponding to a volume at base conditions or a mass of gas. The United States voted “no” on the 4 CD of this document. Please contact Wayne Stiefel at (301) 975-4011 or at [stiefel@nist.gov](mailto:stiefel@nist.gov) if you would like to obtain a copy of these documents or to participate in these projects.

*TC 8/SC 8 “Gas Meters” (Netherlands)*

Based on a poll of TC 8/SC 8 members, R 6 “General provisions for gas volume meters,” R 31 “Diaphragm Gas Meters”, and R 32 “Rotary Piston Gas Meters and Turbine Gas Meters” were revised and combined into a single Recommendation. The Secretariat circulated a 2 CD of this document, and U.S. comments were returned in March 2005. A subcommittee meeting to discuss the document was held in June 2005 in the Netherlands. The United States voted “yes” with comments on the 3 CD of this document in January 2006. Please contact Wayne Stiefel at (301) 975-4011 or at [stiefel@nist.gov](mailto:stiefel@nist.gov) if you would like to participate in this project.

*TC 9 “Instruments for Measuring Mass” (United States)*

The United States will begin the review cycle for R 60 “Load Cells” after the revision of R 76 “Non-automatic Weighing Instruments” is complete, probably late in 2006. If you would like to participate in the revision of R 60, please contact Steve Cook at (301) 975-4003 or [steven.cook@nist.gov](mailto:steven.cook@nist.gov).

*TC 9/SC 1 “Nonautomatic Weighing Instruments” (Germany and France)*

The current review cycle of R 76 “Non-automatic Weighing Instruments” is of major importance to U.S. interests because the Recommendation serves as the foundation for a majority of the laws and regulations that govern weighing instruments around the world. This review is significant for U.S. weighing instrument manufacturers because international harmonization of requirements would eliminate technical barriers to trade and reduce the delays and the cost of getting new weighing instruments into the global marketplace. The United States returned comments on the 1 CD of the revised R 76 in April 2005. The revision included new language addressing metrological controls for type evaluations, conformity, and initial and subsequent inspections. The USNWG held a meeting in July 2005 and is being consulted concerning proposals to harmonize Handbook 44 and R 76. The United States voted “yes” on the 2 CD of R 76 in January 2006 and expects that the next draft of the document will be a DR. If you would like to participate in this effort, please contact Steve Cook at (301) 975-4003 or [steven.cook@nist.gov](mailto:steven.cook@nist.gov).

*TC 9/SC 2 “Automatic Weighing Instruments” (United Kingdom)*

The Recommendation R 134-1 “Automatic Instruments for Weighing Road Vehicles in Motion – Total Load and Axle Weighing” is having its final comments incorporated and should be published in early 2006. The test report format of this document, R 134-2, has been distributed in the United States and comments were submitted to the Secretariat in January 2006. Two other documents in this subcommittee are now being revised. The United States has returned comments on a working draft (WD) of R 106 “Automatic Rail-weighbridges” and a 1 CD of R 107 “Discontinuous Totalizing Automatic Weighing Instruments (Totalizing Hopper Weighers).” If you would like to receive copies of any of these documents or work on these projects, please contact Richard Harshman at (301) 975-8107 or at [harshman@nist.gov](mailto:harshman@nist.gov).

*TC 17/SC 1 “Humidity” (China)*

The Secretariat (China) is working closely with the United States and a small international work group (IWG) to revise OIML R 59 “Moisture Meters for Cereal Grains and Oilseeds.” All drafts have been distributed to the USNWG, which for the most part is a subset of the NTEP Grain Sector. In October 2003 China hosted a meeting of the TC 17/SC 1 subcommittee in Beijing to review and discuss this revised document. A 2 CD that incorporated U.S. comments was

circulated in May 2004 by the Secretariat. A meeting of the IWG was held in Paris in September 2004 to resolve conflicts on the document. U.S. comments on the 3 CD of R 59 were returned to the Secretariat in August 2005 and are being incorporated into the next draft. Please contact Diane Lee at (301) 975-4405 or at [diane.lee@nist.gov](mailto:diane.lee@nist.gov) if you would like to participate in this work group.

*TC 17/SC 8 “Quality Analysis of Agricultural Products” (Australia)*

A new subcommittee has been formed to study the issues and write a working draft document “Measuring Instruments for Protein Determination in Grains.” Australia is the Secretariat for this new subcommittee. A work group meeting was held in May 2004 in Sydney. A 2 WD of this document was received in August 2004, and a 3 WD was received in May 2005. A work group meeting was held in June 2005 in Berlin to discuss the latest round of comments on the 3 WD. Please contact Diane Lee at (301) 975-4405 or at [diane.lee@nist.gov](mailto:diane.lee@nist.gov) if you would like to participate in this work group.

## **II. Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations**

The OIML MAA is now being implemented. The first “provisional” Committee on Participation Review (CPR) has been established for OIML R 60 (Load Cells) and R 76 (Non-automatic Weighing Instruments). The CPR is being called ‘provisional’ to reflect the fact that the participants are under no obligation to sign either of the Declarations of Mutual Confidence (DoMCs) that are expected to result.

The first meeting of the CPR was held June 15 - 16, 2005, in Lyon, France, in conjunction with the 40<sup>th</sup> CIML Meeting and the 50<sup>th</sup> Anniversary Celebration of OIML. Mr. Stephen Patoray represented the NCWM, Mr. Steve Cook represented the Secretariat of OIML TC 9 responsible for OIML R 60, and Dr. Charles Ehrlich represented the Secretariat for OIML TC 3/SC 5 responsible for the MAA. Twenty-one countries had representatives at the meeting, with eight of the countries indicating interest in participating as an ‘Issuing Participant’ for at least one of the two DoMCs. (An ‘Issuing Participant’ is one that performs tests and issues certificates under the DoMC.) The CPR reviewed the application files of the eight countries wishing to be Issuing Participants, and decided that two of the countries needed to have peer reviews conducted. (For reasons of confidentiality, no countries are being identified by name until the DoMC is signed.) A seminar (training course) for peer review assessors was held on September 5 - 6, 2005, in Paris, and the peer reviews were completed in January 2006. Signing of the DoMCs for R 60 and R 76 is envisioned for 2006, after the second CPR meeting, to be held in March 2006 in Sydney. At that time countries that do not sign at least one of the DoMCs will no longer be members of the CPR (the CPR will then no longer be ‘provisional’). It was proposed that countries may subsequently apply to join the CPR during two specified periods per year.

Also at the first CPR meeting, a draft ‘Operating Rules for CPRs’ was discussed, and it was agreed among CPR members that an 80 % voting rule would apply, with no more than one negative vote from an ‘Issuing Participant’ allowed. The ‘Operating Rules’, containing this and other proposals, was put forward to the CIML for postal vote. A draft implementation document on using ISO/IEC 17025 (requirements for testing laboratories), to be used for conducting the legal metrology audits, was also discussed. Another implementation document on ISO Guide 65 (requirements for issuing authorities) was circulated to the CPR for comment after the meeting. These implementation documents are being distributed as working drafts to OIML TC 3/SC 5 to be developed as OIML Documents.

The NCWM Board of Directors (BOD) had indicated to the International Bureau of Legal Metrology (BIML) its desire to participate on the CPR, primarily to help answer many of the NCWM’s questions and concerns, and realized that many details regarding the implementation of the MAA will be developed through discussions of the CPR. The NCWM also indicated to the BIML that the NCWM anticipated it would sign a DoMC for R 76 only when it is prepared to do so as an OIML Issuing Authority that issues test data and OIML Certificates under the MAA (i.e., as an Issuing Participant). The BIML allowed the NCWM to participate on the CPR under this arrangement. In order not to pay the 1500 Euro fee for “examination of their candidacy” as an Issuing Participant, the United States has for now been considered as a country that will not issue OIML Certificates under the MAA, but rather will utilize those issued by other countries (a ‘Utilizing Participant’). This arrangement could change as negotiations continue and the CPR discussions advance.

At the January 2006 Interim Meeting in Jacksonville, the Board considered whether the NCWM should be a Utilizing Participant for R 60 since all of the necessary load cell testing capability to be an Issuing Participant is not available in the United States. The board decided to sign the DoMC for R 60 as long as there are no objections on technical grounds.

OIML TC 3/SC 5 will start revising both publication B 10-1 (*MAA*) and publication B 3 “OIML Certificate System for Measuring Instruments” after some additional experience with the *MAA* has been gained. Further implementation of the *MAA* may require that other detailed regulations be developed.

For further information on the *MAA* and its implementation, please contact Dr. Charles Ehrlich at [charles.ehrlich@nist.gov](mailto:charles.ehrlich@nist.gov) or at (301) 975-4834 or by fax at (301) 926-0647.

### **III. Future CIML Meetings**

The 41<sup>st</sup> CIML Meeting will be hosted by South Africa in Capetown in October 2006. The Committee noted that the People’s Republic of China was considering inviting the CIML to hold its 42<sup>nd</sup> Meeting in China in October 2007. A decision on this will be made at the 41<sup>st</sup> CIML Meeting.



## **Appendix B**

### **Associate Membership Committee (AMC) Interim Report**

Gary Lamaris, Hobart Corporation

#### **AGENDA FOR ANNUAL MEETING**

- Call to Order
- Approval of Minutes
  - 2005 Annual
  - 2006 Interim
- Financial Condition
- NCWM Board of Director's Report
  - Darrell Flocken
  - Chris Guay
- Election of Officers for 2006 - 2007
- Election of Committee Members
- Election of AMC Agenda Review Member
- Report on AMC Training Funds
- New Business
- Adjourn

**Minutes  
NCWM Associate Member Committee**

January 22, 2006  
Jacksonville, Florida

The following individuals were in attendance:

Gary Lameris – Hobart, Chairman  
Stephen Langford – Cardinal Scale, Vice-Chair  
Paul Lewis – Rice Lake  
Bill Sveum – Kraft Foods  
Mike Sarachman – Kraft Foods  
Chris Guay – Proctor & Gamble  
Bob Murnane – Seraphin  
Gale Prince – Kroger  
Darrell Flocken – Mettler-Toledo  
Louis Straub – Fairbanks Scales  
Steve Steinborn – Hogan & Hartson  
Pete O'Bryan – Foster Farms

Beth Palys – NCWM Headquarters also attended the meeting.

Chairman Lameris called the meeting to order at 10:45 a.m.

**MINUTES**

Minutes of the last meeting were not available for approval.

**FINANCIAL CONDITION**

Chairman Lameris reported that as of December 30, 2005, the fund balance was \$17,950.47.

**BOARD OF DIRECTORS REPORT**

Darrell Flocken, the Associate Membership Representative on the NCWM Board of Directors gave a report about Board activities:

- The cost of the special event is higher than normal and there are some difficulties in locating a suitable event. The NCWM staff is looking for suggestions.
  - Perhaps Blue Man and an Italian buffet next door, or
  - There is a brewery in downtown Chicago, or
  - Dinner at the Hancock Tower.
- Carol Hockert, formerly from Minnesota, will assume duties as NIST WMD Director beginning in late February.
- Belinda Collins, formerly acting Director of Technology Services, has been appointed as the Director of Technology Services.
- The NCWM is planning its first Marketplace survey this year. The Board's intention is to make this an on-going event. The first survey will have 10 to 12 states participating. The Board may request training funds for Marketplace surveys beginning in 2007. NIST will do the training. Individual companies will not be identified in the survey results.
- The Board created a policy for emergency cancellation of meeting registrations at the October 2005 meeting.

### NCWM WEBSITE DEVELOPMENT

Beth Palys (NCWM) thanked the AMC for its assistance in revamping the website. The NCWM staff appreciates any comments members may have on improving the website.

### REVIEW PANEL

Lou Straub gave a brief overview on the review panel. Judy Cardin will chair a review meeting on the review panel Tuesday.

### AMC FUNDS DISPERSEMENT

#### 2005 TRAINING FUNDS Report

In 2005 the AMC committee approved 9 funding requests.

- 4 jurisdictions used the funds - CO, WA, AZ and SD
- 1 submitted the receipts after the NCWM deadline - OH
- 4 other jurisdictions were unable to use the funds - CT, Spokane, WA, MA

Notes were received from the following jurisdictions.

- South Dakota -- David Pfahler sent a thank you for the opportunity to provide training.
- Colorado -- Kristin Young sent a thank you for the opportunity to provide training.
- Spokane -- Steve Parker was unable to use the funds due to timing.
- Connecticut -- Frank Greene was unable to use the funds in the time provided.
- Ohio -- Ken Wheeler was unable to obtain receipts in the time period required.

SPECIAL EVENT – It was determined that the AMC would provide \$10,000 for the Special Event held during the annual meeting of the NCWM

#### 2006 TRAINING REQUESTS – A number of training requests were granted and are summarized below

- Schenectady County, NY -- \$500 to send the 2 inspectors to NY training
- Ohio Department of Agriculture -- \$447 per request.
- Maryland Department of Agriculture -- to \$2,500 for the training instructors
- Colorado Department of Agriculture -- \$1,300 per request
- Massachusetts Division of Standards -- \$1,300 for both requests.

If all funds are used, a fund balance of approximately \$1900 will remain in the AMC account including the \$500 reserve. The Chair will address a letter to Schenectady County explaining the purpose of the AMC funds.

### NEW BUSINESS

Bill Sveum requested the AMC support a roundtable on net weight practices for a target presentation date of July 2006. The roundtable would include presentations on industry practices, legal and weights and measures perspectives and then have a question and answer period. The AMC voted to support the roundtable.

The NCWM is looking for comments on adding mailing addresses to the membership list on the website.

Beth Palys is interested in adding an AMC column in the NCWM newsletter.

Steve Steinborn of Hogan & Hartson reviewed concerns the packaged food industry may have over a NIST guidance memo dated January 1, 2006.

ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,  
Gary Lameris, Chair, AMC  
Stephen Langford, Vice Chair, AMC



## Appendix A

2006 AMC Fund Allocations							
AMC Fiscal Report as of 12/31/05		Amount					
Fund Balance on 9/30/05		5,425					
Revenue This Fiscal YTD 12/31/05		12,525					
Amount Paid Out		-					
Current AMC Balance		17,950					
Current AMC Balance		17,950			17,950		
Allocations:		Reserved			Approved		
Special Event		10,000					
AMC "reserve"		500					
Available for Website & Training		7,450					
Requests for Website & Training							
	Jurisdiction	Contact	Category	Attendees	Purpose	Requested	Approved
1	Schnectady Count	Christopher Godlev	Training, Computers		Purchase hardware, software, fund W&M Conf and training school	5,212	
2	Ohio Dept of Ag	Ken Wheeler	Training		Purchase training materials for the Ohio Training Assistants	447	
3	Maryland, Ag	R. Wothlie	Training	20 MD W&M	Fund airfare and lodging for instructors	2,500	
4	Colorado, Ag	Kristian Young	Training	27 Insp, 16 service	Classroom supplies, travel expenses for inspectors	1,300	
5	Massachusetts	Charles Carrol	Room rental	70	Room rental, visual aids, training material on Pub 19 for MA W&M	800	
6	Massachusetts	Charles Carrol	Room rental	50+	Room rental, visual aids, training material on motor fuel or MA W&M	500	
7							
8							
9							
10							
11							
12							
13							
14							
15							
16	Ct	Frank Greene	Idea		Develop a series of self training videos	-	
17	Ct	Frank Greene	Idea		Change from "Grants" to "scholarship"		
Totals						10,759	-
Still Available :						-3,309	-



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